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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,817	03/26/2004	Kil-soo Jung	1293.1768	7945
49455 7590 08/01/2008 STEIN, MCEWEN & BUI, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005			EXAMINER WENDMAGEGN, GIRMSEW	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 08/01/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,817

Applicant(s)

JUNG ET AL.

Examiner

GIRUMSEW WENDMAGEGN

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 5/27/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim1-19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al (EP 1014370).

Regarding claim1,8,15, Park et al (hereinafter Park) teaches a method of seamlessly reproducing a plurality of data including data packets packet-data- with arrival time stamps (ATs) recorded on a storage medium determined to be unrelated to each other, the method comprising: determining if successive data streams for seamless reproduction include data packets with arrival time stamps (ATs) that are unrelated with each other; if the successive data streams for seamless reproduction include data packets with arrival time stamps (ATs) that are unrelated with each other, reproducing a current data stream (see page5 paragraph 0025; 0032); continuously reproducing of the next data streams based on the reference time value (see page5 paragraph 0025; 0032) but does not teach calculating a reference time value used to

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adjust an arrival time stamp (ATS) of a first data packet of a next data stream so as to allow the next data stream to be reproduced immediately after reproduction of the current data stream without a pause. However it is old and well known in the art to generate (calculate) reference time when reproduction is performed. Therefore official notice is taken.

One of ordinary skill in the art at the time the invention was made would have been motivated to generate reference time when reproduction is performed in Park because it would make playback more effective.

Regarding claim2, 9, Park teaches the method of claim 1, further comprising: resetting a counter using a reproduction, gap value that is a difference between the calculated reference time value and an arrival time stamp (ATS) of a last data packet of the current data stream, so that the next data stream is reproduced immediately after reproduction of the current data stream without a pause, based on a reset counter value (see page5 paragraph 0029; page9 paragraph 0077-0078).

Regarding claim3,10, Park teaches the method of claim 1 further comprising: adjusting arrival time stamps (ATSs) of data packets of the next data stream using an offset value between the calculated reference time value and an arrival time stamp (ATS) of a first data packet of the next data stream, so that the next data stream is reproduced immediately after reproduction of the current data stream without a pause, based on adjusted ATSs (page9 paragraph 0077-0078).

Regarding claim4, 11, 16, Park teaches the method of claim 3, wherein the reproduction gap value is a time value indicating an interval of time between reproduction of last packet data of the current data stream and the first data packet of the next data stream (see page9 paragraph 0077).

Regarding claim5, 12,17, Park teaches the method of claim 4, wherein the reproduction gap value is obtained by calculating a difference between the calculated reference time value and an arrival time stamp (ATS) of the last data packet of the current data stream (see page9 paragraph 0077)

Regarding claim6, 13,18, Park teaches the method of claim 3, wherein the offset value is added to the arrival time stamp(ATS) of each data packet of the next data stream so that the next data stream is reproduced immediately after reproduction of the current data stream without a pause (see 6 paragraph 0044)

Regarding claim7, 14,19, Park teaches the method of claim 6, wherein the offset value is obtained by calculating a difference between the calculated reference time value and the arrival time stamp (ATS) of the first data packet of the next data stream (see page6 paragraph 0044).

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIRUMSEW WENDMAGEGN whose telephone number is (571)270-1118. The examiner can normally be reached on 7:30-5:00, M-F, all Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Girumsew Wendmagegn/
Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621

